

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE NEW YORK DISTRICT COUNCIL OF  
CARPENTERS PENSION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS WELFARE  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS VACATION FUND, NEW YORK CITY  
DISTRICT COUNCIL OF CARPENTERS ANNUITY  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS APPRENTICESHIP, JOURNEYMAN  
RETRAINING, EDUCATIONAL AND INDUSTRY  
FUND, NEW YORK CITY DISTRICT COUNCIL OF  
CARPENTERS CHARITY FUND and NEW YORK  
CITY AND VICINITY CARPENTERS LABOR  
MANAGEMENT COOPERATION TRUST FUND,

Plaintiffs,

-against-

SUPERIOR WALLBOARD SYSTEMS INC.

Defendant.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED

DOC #: X

DATE FILED: 3/31/08

02 Civ. 6687 (LAP)

STIPULATION  
AND ORDER OF  
DISMISSAL

RECEIVED

MAR 25 2008

LORETTA A. PRESKA  
U. S. DISTRICT JUDGE  
S. D. N. Y.

IT IS HEREBY STIPULATED AND AGREED, by and between the above-

mentioned plaintiffs and defendant, SUPERIOR WALLBOARD SYSTEMS INC., through

their undersigned counsel, that each and every claim asserted by plaintiffs against defendant be

dismissed in its entirety

O'DWYER & BERNSTEIN, LLP  
Attorneys for Plaintiffs  
52 Duane Street, 5<sup>th</sup> Floor  
New York, New York 10007  
(212) 571-7100

By: [Signature]  
RAUL GARCIA (RG 3124)

Dated: March 21, 2008

TRIVELLA, FORTE & SMITH, LLP  
Attorneys for Defendant  
1311 Mamaroneck Avenue, Suite 170  
White Plains, NY 10605  
(914) 949-9075

By: [Signature]  
CHRISTOPHER A. SMITH (CAS )

Dated: March 21, 2008

SO ORDERED:

HON. LORETTA A. PRESKA, U.S.D.J.

The Clerk of the Court Shall  
mark this action closed and all  
pending motions denied as moot.

SO ORDERED:

[Signature]  
LORETTA A. PRESKA, U.S.D.J.

March 28, 2008